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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	10/705,717
		Filing Date	November 10, 2003
		First Named Inventor	Nelson et al.
		Group Art Unit	1725
		Examiner Name	
Total Number of Pages in This Submission (including this sheet)	4	Attorney Docket No.	1219.BYU.CN2

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Appeal Communication: <input type="checkbox"/> Appeal Notice <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Reply Brief <input type="checkbox"/> Assignment with Cover Sheet <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Check in the amount of \$____ <input checked="" type="checkbox"/> Credit card authorization in the amount of \$ <u>738.00</u> <input type="checkbox"/> Declaration & Power of Attorney <input type="checkbox"/> Drawings ____ sheets <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Extension of Time Request ____ month <input type="checkbox"/> Fee Calculation Table <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form 1449 <input type="checkbox"/> Copies of IDS References <input type="checkbox"/> Issue Fee Transmittal & Advance Order	<input type="checkbox"/> Maintenance Fee Transmittal ____ year <input type="checkbox"/> Missing Parts Response <input type="checkbox"/> Notification of Change of Attorney Address & Docket Number <input checked="" type="checkbox"/> Return Postcard <input type="checkbox"/> Revocation & Power of Attorney <input checked="" type="checkbox"/> Statement to change Entity Status <input type="checkbox"/> Other:
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT		
Attorney for Applicant	David W. O'Bryant, Registration No. 39,793 MORRISS O'BRYANT COMPAGNI, P.C. 136 South Main Street, Suite 700 Salt Lake City, Utah 84101 (801) 478-0071 telephone; (801) 478-0076 facsimile	
Signature		Date 4/28/04
CERTIFICATE OF MAILING UNDER 37 CFR § 1.8		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		
Typed or Printed Name	David W. O'Bryant	
Signature		Date 4/28/04



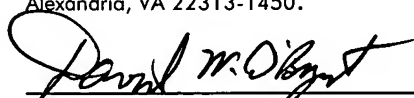
**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Nelson et al.  
SERIAL NO.: 10/705,717  
FILING DATE: November 10, 2003  
TITLE: FRICTION STIR WELDING USING  
A SUPERABRASIVE TOOL  
ART UNIT: 1725  
EXAMINER:  
DOCKET NO.: 1219.BYU.CN2

**CERTIFICATE OF MAILING  
UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
David W. O'Bryant

4/28/04  
Date of Deposit

**STATEMENT TO CHANGE ENTITY STATUS UNDER 37 CFR § 1.28(C)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that status of above-identified application be changed to non-small entity. The status as a small entity was established in good faith and fees as a small entity were paid in good faith without intent to deceive. Applicant later discovered that such status as small entity was established in error. Applicant encloses payment in the amount of \$738.00 to correct the deficiency between the fees paid (small entity) and the fees due (non-small entity). The amount of the deficiency is calculated below.

Description	Amount Paid for small entity	Amount Required for Non-small Entity	Amount Due
Continuation Patent Application Filing Fees	385.00	770.00	385.00
Claims in excess of twenty	32 x 9.00 = 288.00	32 x 18.00=576.00	288.00

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01 FC:1001 770.00 OP  
02 FC:1202 576.00 OP  
03 FC:1051 130.00 OP

Commissioner for Patents  
April 23, 2004  
Page 2

Late Oath or Declaration Surcharge	65.00	130.00	65.00
TOTAL			\$738.00

The Commissioner is hereby authorized to charge any deficiencies in fees or credit any overpayment in connection with this communication to Deposit Account No. 50-0881.

DATED this 28 day of April, 2004.

Respectfully submitted,



David W. O'Bryant  
Attorney for Applicant  
Registration No. 39,793  
MORRISS O'BRYANT COMPAGNI, P.C.  
136 South Main Street, Suite 700  
Salt Lake City, Utah 84101  
Telephone: (801) 478-0071  
Facsimile: (801) 478-0076